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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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8 SCOTTSDALE INSURANCE COMPANY,)

9 Plaintiff,)

10 vs.)

11 8FORCE ASSETS, LLC, *et al.*,)

12 Defendants.)
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Case No. 2:17-cv-02036-APG-GWF

ORDER

14 This matter is before the Court on Plaintiff's Motion to Order Issuance of Subpoena Duces
15 Tecum for Production of Records to Cellco Partnership d/b/a Verizon Wireless (ECF No. 40), filed
16 on December 6, 2017. To date, no party has filed an opposition to this motion and the time for
17 response has now expired.


18 Plaintiff requests that the Clerk of the Court authorize and execute its subpoena duces tecum
19 to the custodian of records for Cellco Partnership doing business as Verizon Wireless ("Verizon") to
20 produce phone records for Defendant Arpad Baron for the period of January 1, 2017 to February 2,
21 2017. Plaintiff represents that it served a subpoena duces tecum on Verizon and it would not release
22 records without a court-ordered subpoena. The Court finds good cause to grant Plaintiff's request for
23 issuance of the subpoena duces tecum.

24 In addition, Local Rule 7-2(d) provides that "The failure of an opposing party to file points
25 and authorities in response to any motion shall constitute a consent to the granting of the motion."
26 Defendant did not file points and authorities in response to Plaintiff's instant motion. Therefore,
27 Defendant is considered to have consented to the granting of Plaintiff's motion under LR 7-2(d).
28 Accordingly,

IT IS HEREBY ORDERED Plaintiff's Motion to Order Issuance of Subpoena Duces Tecum for Production of Records to Cellco Partnership d/b/a Verizon Wireless (ECF No. 40) is **granted**.

IT IS FURTHER ORDERED that the Clerk of the Court shall issue the subpoena duces tecum attached as Exhibit A to Plaintiff's Motion to Order Issuance of Subpoena Duces Tecum for Production of Records to Cellco Partnership d/b/a Verison Wireless (ECF No. 40).

DATED this 27th day of December, 2017.


GEORGE FOLEY, JR.
United States Magistrate Judge